

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

IN RE
CHRISTOPHER CHARBONNEAU,
Debtor

Chapter 13
Case No: 09-17845-WCH

AFFIDAVIT OF NON-COMPLIANCE

Now comes Patricia A. Remer, and affirms the following to be true under pains and penalties of perjury:

1. I am an attorney admitted to practice before this Court. I am counsel to Carolyn A. Bankowski, Standing Chapter 13 Trustee for Eastern Massachusetts. As such, I am fully familiar with the facts and circumstances herein alleged.
2. On August 26, 2010, issued an Order directing the Debtor to cure arrears in the amount of \$4,922.00, by paying \$1,000.00 by noon on September 1, 2010, and then making payments of \$645.00 per month for a period of six (6) months, which includes the regular payment and an additional payment of \$654.00 to cure the arrears.
3. I have reviewed the Trustee's receipts journal as of this date and find that the Debtors have not complied with the Court's Order. Specifically, the Debtor failed to make the payment of \$1,000.00 by September 1, 2010. The Debtor is currently in arrears in the amount of \$5,525.00 which equals 9.2 months of plan payments. This amount does NOT include the current month.

WHEREFORE the Chapter 13 Trustee respectfully requests that the Court issue such further Order as may be appropriate.

Dated: September 15, 2010

Respectfully submitted,
Carolyn A. Bankowski
Standing Chapter 13 Trustee
By: s/ Patricia A. Remer
Carolyn A. Bankowski, BBO#631056
Patricia A. Remer, BBO#639694
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Certificate of Service

The undersigned hereby certifies that a copy of the within Affidavit of Non-Compliance was served upon the Debtor and Debtor's counsel by mailing a true copy of the same via first class mail or by electronic notice, postage pre-paid, on this date at the addresses indicated below.

Date: September 15, 2010

Christopher J. Charbonneau
71 Emma Street
New Bedford, MA 02740

Heather J. Lynham
51 Alden Road
Fairhaven, MA 02719

/s/ Patricia A. Remer